

Application S/N 10/716,262
Amendment dated: December 1, 2005
Response to Office Action dated: September 19, 2005

CE12142JME

REMARKS/ARGUMENTS

Claims 1-20 remain pending in the application. In the Office Action, claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,157,540 to Oros (Oros). In addition, claims 2, 3, 8-13 and 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oros in view of U.S. Patent No. 4,847,818 to Olsen (Olsen). Claims 4, 7, 14 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oros in view of U.S. Patent Application Publication No. 2002/0176586 to Leonard (Leonard). Finally, claims 5, 6, 15 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oros in view of U.S. Patent Application Publication No. 2002/0187757 to Bush (Bush).

A brief summary of the Oros reference may be helpful here. Oros discloses a wireless alarm system. In particular, Oros describes a wireless transmitter assembly that includes a pressure-actuated, normally open contact switch that is closed under pressure from a person. As shown in FIGs. 8 and 9, the wireless transmitter assembly is contained within a belt having a buckle and a plurality of metal eyelets. When the buckle is engaged with one of the metal eyelets, the circuit shown in FIG. 8 is closed or completed only when the pressure-actuated switch is closed. In other words, before the wireless transmitter can transmit signals, a person must apply the pressure to the switch to allow the circuit to be completed. Even if the required pressure adjustment is made prior to the buckle engaging the eyelets, as suggested by the Examiner, the pressure-actuated switch must still be closed before the circuit in FIG. 8 is complete.

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Applicant has amended independent claims 1 and 11 to clarify that the integrated radio is enabled for transmission or receipt of communication signals exclusively upon the buckling of the mating portions. Such a concept is not shown, discussed, taught or even suggested by Oros, as the transmission circuit in that reference is not completed unless and until the pressure-actuated switch is closed. In Oros, the pressure-actuated switch must first be properly adjusted and then a user must flex his or her stomach muscles to complete the circuit. These steps and the circuitry required to implement them are not required by the present invention.

In view of the above, Applicant believes that independent claims 1 and 11 are patentable over the prior art. Applicant also believes that those claims that depend from these independent claims are now patentable, in view of both their dependence from these claims and their independent patentability. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

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The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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